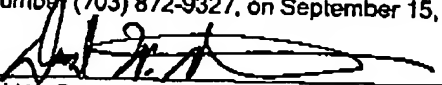


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**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence for Application No. 10/044,615 is being facsimile transmitted to Technology Center 3600, After Final fax number (703) 872-9327, on September 15, 2003.

  
David W. Dorton, Reg. No. 51,625

Date

SEPTEMBER 15, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/044,615  
Filed: January 11, 2001  
Group Art Unit: 3683  
Examiner: Devon C. Kramer  
Applicants: Miller et al.  
Title: PISTON AND ROD ASSEMBLY FOR AIR-ACTUATED VARIABLE DAMPING  
Attorney Docket: DP-306241/DEAU-37  
Confirmation No.: 9471

Cincinnati, Ohio 45202

September 15, 2003

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AFTER FINAL AMENDMENT**

In response to the final Office Action mailed July 16, 2003, please amend the application as follows.

**OFFICIAL**

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Miller et al. Examiner: Devon C. Kramer  
 Serial No.: 10/044,615 Group No.: 3683  
 Filed: January 11, 2001  
 For: PISTON AND ROD ASSEMBLY FOR AIR-ACTUATED VARIABLE DAMPING  
 Attorney Docket: DEAU-37  
 Confirmation No.: 9471

Commissioner of Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

September 15, 2003

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- ☐ Small Entity status is claimed.  
☒ Other Than a Small Entity.
- The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
TOTAL *	20	MINUS **	20	0	x 9	\$ 0.00	x 18	\$ 0.00
INDEP. *	12	MINUS ***	11	1	x 42	\$ 0.00	x 84	\$ 84.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+140		+280	
					TOTAL FEE	\$ 0.00	TOTAL FEE	\$ 84.00

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ No additional fee for claims is required.
4. ☐ Attached is a check in the sum of \$\_\_\_\_\_.
- ☒ Please charge my Deposit Account No. 23-3000 in the amount of \$84.00.  
A duplicate copy of this sheet is attached.

SEP 15 2003

5. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

Complete (a) or (b) as applicable.

- (a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
_____ one month	\$ 110.00	\$ 55.00
_____ two months	\$ 400.00	\$ 200.00
_____ three months	\$ 920.00	\$ 460.00
_____ four months	\$1,440.00	\$ 720.00
_____ five months	\$1,960.00	\$ 980.00

\_\_\_\_\_ Attached is a check in the amount of \$ \_\_\_\_\_ for the \_\_\_\_\_ month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

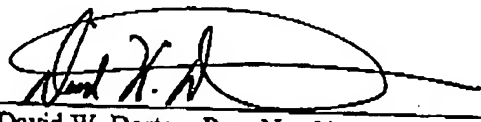
\_\_\_\_\_ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$ \_\_\_\_\_.

OR

- (b) X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time.

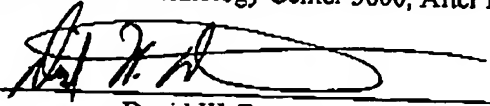
X If any additional fee for claims or extension of time is required, charge Deposit Account No. 23-3000.

2700 Carew Tower  
441 Vine Street  
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(513) 421-7269 (fax)

  
David W. Dorton, Reg. No. 51,625

**CERTIFICATE OF FACSIMILE**

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David W. Dorton

SEPTEMBER 15 2003  
Date: KADEAU37Amdt  
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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

September 15, 2003

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TECHNICAL ADVISORS  
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**FACSIMILE COVER SHEET**

To: Technology Center 3600  
Examiner Devon C. Kramer

From: David W. Dorton

Fax: (703) 872-9327

Re: Our File: DEAU-37  
Serial No. 10/044,615

Pages: 25 (including cover sheet)

**MESSAGE/COMMENTS**

Attached herewith is the formal Response to Office Action  
submitted for the above-identified application and Amendment  
Transmittal for additional claim.

**PLEASE DELIVER IMMEDIATELY TO  
EXAMINER DEVON C. KRAMER**

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**SEP 15 2003**

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